



PATENT

ATTORNEY DOCKET NO.: 040894-7160

THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------|---|------------------------|
| In re Application of: |) | Confirmation No.: 9680 |
| |) | |
| Kazuo HIGUCHI |) | Group Art Unit: 3721 |
| |) | |
| Application No.: 10/520,124 |) | Examiner: N. Chukwurah |
| |) | |
| Filed: January 3, 2005 |) | |
| |) | |
| For: RESIDUAL STAPLE AMOUNT |) | |
| DETECTION DEVICE OF ELECTRIC |) | |
| STAPLER |) | |

Commissioner for Patents
 U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated October 31, 2006.

2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
☐ Information Disclosure Statement
☐ Form PTO-1449, _____ references included
☐ Citations
☐ Declaration of Biological Deposit

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|---------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 8 | minus | 20 | 0 | x \$50 each= | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 4 | minus | 3 | 1 | x \$200 each= | + \$200.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$ 0.00 |
| SUB-TOTAL = | | | | | | \$200.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$200.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the total of \$200.00 for the additional claims fee. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

02/02/2007 ATRANI 00000174 500310 10520124
01 FC:1614 200.00 DA

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLPBy: 

Bradford A. Cangro
Reg. No. 58,478

Dated: January 31, 2007

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 Telephone: (202) 739-3000
 Facsimile: (202) 739-3001



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Sir:

AMENDMENT

In response to the Office Action dated October 31, 2006, the period for response to which extends through January 31, 2007, please amend the above-identified application as follows: